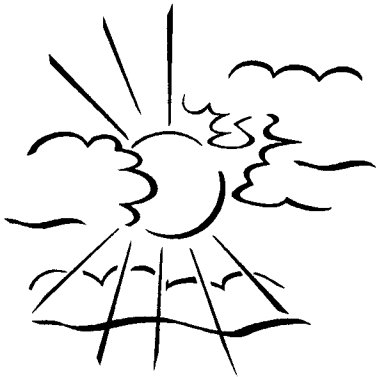


***Department  
of  
Human  
Services***

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Health Care



# **Articles in Today's Clips**

## **Thursday, December 29, 2005**

(Be sure to maximize your screen to read your clips)

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# Put a time limit on welfare?

Harsh reforms would punish vulnerable state families

December 29, 2005

Detroit News Opinion

Marianne Udow

Because of the harshness of the welfare reform bills, Gov. Jennifer Granholm has vetoed six of the bills in the welfare reform package.

In the Granholm administration, our goal is to reduce poverty, not to increase it.

The governor has made it clear that wherever possible, public assistance should be temporary with a goal of helping people take care of themselves and their families. She was equally clear that the system must also protect those most vulnerable in our state.

Although the welfare reform bills included many positive measures, especially additional training, education and workplace supports, they were too punitive toward vulnerable families who continue to face serious barriers to employment.

Those who are on welfare today are fundamentally different from those 10 years ago.

Of today's 240,000 recipients, only 83,000 are adults; the remaining 157,000 are children. Ten years ago, single adults could be eligible for assistance. Today, only individuals who have children and less than \$3,000 in assets are eligible for welfare.

Ten years ago, the monthly cash grant of \$459 for a family of three -- just \$5,500 a year -- brought the family to 47 percent of the federal poverty level. Today, the monthly cash grant is still \$459, but brings that family of three to just 36 percent of the federal poverty level. To be eligible for cash assistance today, you must be truly destitute.

No one stays on welfare as a matter of choice. Some families are in the system just briefly to get them through a difficult time. Others face difficult and daunting barriers to independence.

Welfare recipients on long-term assistance include those who are disabled or caring for a disabled family member, suffering from mental health or substance abuse issues, functionally illiterate, or victims of domestic violence.

Even with these and other barriers, more than one-fifth of our longtime welfare recipients are working. However, they are working for such low wages that they continue to meet eligibility levels for cash assistance.

The bills passed by the Legislature would have imposed a lifetime limit of 48 months of benefits on all of those receiving cash assistance, even if they were doing all they could to become independent.

Our goal is to help strengthen the skills and abilities so families can become independent, not to throw the most vulnerable onto the streets and further burden already struggling local governments. Our goal is to assure that we help break the generational cycle of welfare by giving our children an equal opportunity to succeed.

We look forward to continuing to work with the Legislature to reach these goals.

*Marianne Udow is director of the Michigan Department of Human Services.*



Detroit News

Thursday, December 29, 2005

## **Lawmakers should revisit welfare limits**

### **State legislators were careful in revising rules on assistance**

Welfare benefits were never intended to become permanent. Instead, they are supposed to offer recipients breathing room to become economically independent. With her veto of welfare reform bills this week, Gov. Jennifer Granholm has weakened that goal.

Certainly, with Michigan's high unemployment rate, care must be exercised in revising the state's welfare rules. But state lawmakers were careful.

Federal law requires that beneficiaries receive cash assistance for no longer than 60 months, or five years. The bills adopted by the Legislature would have conformed to that federal requirement. Recipients would have been limited to 48 months of cash benefits, with an extra 12 months added if they appeal because of special circumstances.

But Gov. Granholm vetoed this lifetime limit, contending it is too harsh.

States are allowed to exempt up to 20 percent of their caseloads from the lifetime limit and use their own funds to pay recipients after the federal 60-month limit. The state and federal governments both contribute to the program, with the state spending \$216 million and the federal government adding almost \$178 million, a state spokesman told the Associated Press.

Michigan is one of only five states that do not have a time limit, according to the office of State Rep. Jerry Kooiman, R-Grand Rapids.

Granholm, in her veto message, said that while her administration supports time limits on welfare benefits, this legislation went too far. But other states have gone farther.

The bills would not have applied to those dealing with domestic violence, caring for an incapacitated child or spouse or are incapacitated themselves. Nor would it have applied to such non-cash items as food stamps.

In essence, the bills were directed toward able-bodied adults in families.

Of course, a good economy is the best welfare program. The number of welfare recipients in this program now totals around 240,000, up from 72,000 five years ago, primarily because of the state's long business slump.

It shouldn't be Michigan's goal, however, to have one of the country's worst economies while boasting one of its best welfare systems.

The state House was slated to return to today to extend the current welfare system. The Senate has already done so. Next year, state lawmakers ought to return to this topic. Since the governor says she favors reasonable time limits on welfare benefits, they ought to hold her to her word.

December 29, 2005

Detroit News

George Weeks

## **GOP attacks on Granholm vetoes go too far**

To the GOP-ruled Legislature, Gov. Jennifer Granholm's veto pen is a terrible swift sword that's likely to make election-year relations with her all the more contentious on economic, welfare, transit and other issues.

"Gov. Granholm has sent a terrible signal to taxpayers and job providers today by vetoing needed welfare reform," House Speaker Craig DeRoche, R-Novi, said Tuesday. That day she vetoed eight bills, bringing her 2005 total to 12. She's signed 327 and has six pending.

Senate Majority Leader Ken Sikkema, R-Wyoming, responded with what is likely to become a talking point for businessman Dick DeVos, Granholm's challenger. Sikkema asserted that by vetoing a four-year time limit on welfare for able-bodied adults, she "decided to keep Michigan as one of the weakest states in the nation when it comes to helping people become self-sufficient."

Granholm said the reform package has some good features but goes too far by imposing a lifetime 48-month limit on benefits, "even for those who comply with work and training requirements but still don't earn enough money to escape poverty."

She said it would "have the effect of forcing families with children into utter economic desperation or homelessness."

But what elicited a more extreme reaction was her veto of a bill allowing Kent County to levy a property tax for public transportation. Rep. Jerry Kooiman, R-Grand Rapids, correctly described his bill as enabling Grand Rapids to secure \$14 million in federal matching funds toward a streetcar or rapid transit bus corridor.

But he went over the edge in contending Granholm "has no concern for Kent County or residents of western Michigan (and) is attempting to cripple Kent County in the same way she has Michigan's economy."

The original bill applied to transit authorities throughout Michigan, and Granholm praised it. But it was amended to apply only to Kent County, prompting her to declare: "The crass political motivation that would provide funding flexibility to one county while leaving behind the rest of the state is bad for jobs in Michigan and cynically fosters division in a state that cries out for unity."

She wisely called on the Legislature early next year to give voters in communities throughout Michigan the ability to use this funding option to support local public transit authorities. Some compromise is possible next year on transit and other issues.

DeRoche, as Granholm requested, called the House back to vote today on a Senate-passed bill to extend the current welfare law, set to expire at year's end. He said reforms "can still be made in the future."

Looming largest in the near future is the 2006 election. Neither party will allow the other notable victories in Lansing.

Granholm will be attacked by Republicans with all the vigor that Democrats used in 1994 in assailing "mean-spirited" first-term Gov. John Engler -- who ended up as a national leader in welfare reform efforts ultimately embraced by both parties on Capitol Hill.

Welfare reform was a proud legacy for Engler, who championed the Michigan requirements now criticized by state Republicans as among the weakest in the nation.

*George Weeks is The News' political columnist. Reach him at (517) 371-3660 or [gweeks07@aol.com](mailto:gweeks07@aol.com).*

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Information Pertinent to Legislative and State Department Activities  
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REPORT NO. 248 VOLUME 44 WEDNESDAY, DECEMBER 28, 2005

### **HOUSE READY FOR SESSION THURSDAY**

More than 75 members of the House plan to attend this Thursday's session, enough needed to give immediate effect to a bill that would extend the sunset on provisions of the state's current welfare system until December 2006.

Matt Resch, spokesperson for House Speaker Craig DeRoche (R-Novi), said that 77 of the chamber's 109 members were expected to be in attendance at the Sine Die session, which will begin at 11:30 a.m.

Session was called for the House so that it could pass SB 757, which provides an extension for exemptions and sanctions currently used under the welfare system, which are set to expire on Saturday.

On Tuesday, Governor Jennifer Granholm vetoed a welfare reform package that would have capped able-bodied adults from receiving benefits after 48 months. Ms. Granholm said the legislation would impose harsh sanctions and not provide exemptions to some individuals, "forcing families with children into utter economic desperation or homelessness."

Republicans who rebuked the governor's comments had kept legislation that would extend the sunset in play in case of a veto. However, instead of the House passing and the Senate enrolling the bill to send it along with the reform package, the Legislature held off, forcing them to meet during what is normally its holiday hiatus.

Thursday, December 29, 2005

Detroit News

## Stronger penalties push self-sufficiency, prevent abuse

State Sen. Bill Hardiman /

Gov. Jennifer Granholm's veto of the welfare reform legislation temporarily ends efforts to help more people move from assistance to independence and apply stronger sanctions to those who abuse the system.

For me, however, welfare is more personal because I grew up poor. For a time, our family's home was a basement beneath a house -- literally a hole in the ground.

There is no shame in needing assistance. It's not where you start in life, but where you end up that counts. I want to help people move off welfare and gain self-sufficiency; the bills sent to the governor provided more tools for them to do so.

Legislative leaders appointed me as co-chair of a bipartisan welfare reform task force. We listened to people running innovative programs in communities from Grand Rapids to Detroit.

My top priority was adding educational flexibility to requirements so recipients could get training to find permanent, higher-paying jobs.

I sponsored a bill to allow education or training to count toward work requirements for two years rather than one. It also required recipients who lack high school or general education diplomas, read below eighth-grade levels or lack English skills to enroll in programs to correct those deficiencies.

The task force also heard from case workers and others that current penalties are not strong enough on recipients who don't want to comply with welfare-to-work rules. The legislation would have strengthened such penalties.

Granholm's veto message cites her concern over a 48-month lifetime limit for cash assistance. She was quoted on Nov. 28 as supporting just such a limit: "I don't think that for those who are able-bodied that 48 months is too short."

Until then, the Senate plan did not include the 48-month limit. After her statement, the limit for able-bodied persons was added with the ability for a 12-month extension and a transition period for those currently in the system.

My hope was the other improvements in the package would mean recipients did not face the time limit at all because they would have more ability to move off the rolls.

To truly help our neighbors who desire to move off assistance, we need those improvements to become law. I will continue to work for constructive, meaningful change.

*State Sen. Bill Hardiman is a Republican from Kentwood.*

# Elderly abuse explodes

Neglect in Mich. has soared in past decade; the number of victims could double in 25 years.

*Karen Bouffard / The Detroit News*  
December 29, 2005

Abuse, neglect and exploitation cases against senior citizens are increasing across Metro Detroit and Michigan as authorities struggle to develop adequate safeguards to protect the growing number of those over age 65.

Cases handled by state Adult Protective Services rose 23 percent in the past decade, and are expected to increase even more as senior citizens live longer and make up a larger percentage of the population.

While the number of state employees assigned to investigate elderly abuse cases has risen modestly in recent years, deep cuts in overall personnel at the state Department of Human Services have forced many Adult Protective Services workers to pick up the slack in other areas, with employees handling both adult and child abuse cases in some counties.

A report released Wednesday by the state Auditor General's office found that the state has failed to beef up Adult Protective Services since a 2003 audit uncovered gaps that leave vulnerable adults at risk of abuse or neglect.

A recent Michigan State University study predicts cases of abuse and neglect against seniors will double in the next 25 years.

State lawmakers and other officials are scrambling to catch up, with a package of bills, new law enforcement efforts and a state Elder Abuse Task Force established by Gov. Jennifer Granholm.

MSU researchers estimate that 4.8 percent of Michigan residents 65 or older were abused in 2000, the base study year. They predict that rate will jump to nearly 7.8 percent in 25 years.

As seniors live longer, police and prosecutors are coping with a rising tide of crime against them that includes neglect, financial exploitation, assault, sexual abuse and even murder. Another MSU study of state Uniform Crime Reports found that 19,014 such crimes were reported in 2003, the latest figures available.

"Right now, I'm afraid we're going to see a lot more of these crimes, and I hope to God that I'm wrong," said Assistant Oakland County Prosecutor Denise Brainard.

## **Stress of care led to killings**

Craig Cymes of Farmington Hills was sentenced to life in prison in November for killing his parents.

Cymes was tired of feeding and bathing his 88-year-old father, Marion, and changing his diapers, prosecutors say. He was fed up with administering breathing treatments to his 77-year-old mother, Mayetta, and preparing her meals.

On Jan. 21, a stressed-out Cymes splashed gasoline on the carpeting in his parents' bedroom, flicked a lighter and set their house on fire, killing them and condemning himself to life in prison.

"He resented that he had ... to come in and care for them, and I think he just couldn't take it," Brainard said.

In a sense, the Cymes case fits a national norm -- about two-thirds of elder abuse crimes are committed by the victims' children or other family caregivers.

Only about 1 in 14 of those incidents are reported to authorities, according to the National Center on Elder Abuse, an information clearinghouse in Washington, D.C.

Officials say abuse is often unreported because victims are embarrassed or reluctant to anger their abusers. Frequently, they don't know who will take care of them if the abuser is removed.

The MSU study predicts the risk for abuse will grow as increasing numbers of elderly strain federal programs, such as Medicaid, which pays for services such as chore assistance, home health-care and adult day care.

Many will be forced to turn to relatives for care. At the same time, the trend is for smaller families, meaning there would be fewer children to care for aging parents.

## **Aid training, help often scant**

Sharon Gire, director of the Michigan Office of Services for the Aging, said caregivers need training and assistance to prevent abuse of elderly people.

"We know that the vast majority of caregiving is done by children, neighbors or siblings, but that doesn't necessarily mean they have the education and skills to do it," Gire said.

Little training is available for nonprofessionals who care for the elderly.

Where it is available people generally don't know about it.

"Caring for an older parent, particularly where there is dementia, takes a lot of education and support," Gire said.

"We need to help people grow in their understanding of the people they are caring for, and provide them with outlets and support."

In some cases, elderly parents are abused by adult children who can't or don't properly care for themselves, experts say.

They may be alcoholics or drug addicts, have a history of domestic violence or suffer from mental illness, according to the National Center for Elder Abuse.

### **Kids' mental ills can be fatal**

Three area cases illustrate the part of the problem that deals with caregivers who are mentally ill.

Darryl Keith Kivela, 43, of Livonia, whose mother testified he is a paranoid schizophrenic, had lived with his parents his entire life before allegedly stabbing his 80-year-old father, Milton, to death on Nov. 2. Bernice Kivela, 63, testified at Darryl's Nov. 15 preliminary exam that her son had physically abused her and her husband many times.

In another case last year, Clyde and Pansy Evans could not turn away their son, Aubrey, when he was released from prison in 2003 after serving 12 years for a carjacking. But on the night of Wednesday, July 7, 2004, Aubrey suddenly and inexplicably turned on his parents.

The family now believes mental illness contributed to the attack. He fatally stabbed his father Clyde, 67, eight times in the back and the chest. He nearly killed his mother Pansy, 78, by stabbing her hand, the back of her neck and head, and her chest.

Aubrey Evans was found guilty, but mentally ill, of second-degree murder and sentenced to life in prison.

"It wasn't just one loss, it's actually two," said Gina Evans-Pickett, the couple's daughter. "It's not just the loss of my father, it's the loss of my brother because he's gone (to prison) for the rest of his life."

Detroit couple Lawrence and Yolanda Daniels also had problems with their son, Larry. They turned to police and the Wayne County prosecutor's elder abuse unit for help in incarcerating him.

They had tried for many years to have him institutionalized for what they believed to be schizophrenia. They failed, so they believed prison was the safest place for Larry.

"There's this emotional tie between parents and kids," said Wayne County Assistant Prosecutor David McClorey.

The Daniels family lived in fear of Larry, 48, for good reason. Once, the couple's daughter, Cindy White, 52, found a homemade electrocution device hidden in Larry's closet.

They placed him in an adult foster care facility. But he would run away and come back home, break into the house and steal money, his family said. "We had to get a (personal protection order) and then sit around until he violated it," White said.

Larry was arrested on March 16, 2004, for stalking his parents and breaking into their home. He was sentenced to three to 15 years in prison.

"It still hurts me," said Lawrence Daniels, 83. "It will till the day I die."

### **Cases grow, agency shrinks**

State officials say they're struggling to cope with the elder abuse problem. An overworked staff makes that difficult.

The workers must screen each complaint -- 14,427 last year -- to decide whether the client needs adult protection or can be served by another program.

The number of complaints reported to Adult Protective Services is not comparable to the number of crimes reported to police, simply because some people call police, and some call the state agency.

Not all complaints result in a state investigation. But the number of cases the state probes is on the rise, from 7,623 in 1995 to 9,384 this year.

State workers often must work quickly to remove clients from dangerous situations.

They frequently go to court to establish guardianship, and work with police and prosecutors to have abusers arrested and prosecuted.

"I think we need more Adult Protective Services workers," said Cynthia Farrell, program manager of Adult Protective Services.

The Department of Human Services has 115 workers assigned to Adult Protective Services, up from 103 in 2001.

But the overall number of adult service workers in the department has dropped 35 percent since 2001 -- from 535 then to 347 today. That decrease means many Adult Protective Services workers pick up additional responsibilities, Farrell said. They often implement other programs such as independent living services, which connects seniors with services like home health care.

Many small or rural counties have just one worker responsible for handling both adult protective services, and child protective services, Farrell said.

Rachel Richards, a policy analyst for the Department of Human Services, recently told members of the governor's Elder Abuse Task Force that workers find it hard to meet the needs of their elderly clients.

"When you have a (Child Protective Services) case and an (Adult Protective Services) case, in most cases that child is going to take precedent," Richards testified, adding that working with the elderly requires specialized knowledge and a different mind-set than working with children.

"Adults have rights, whereas children don't," she said. "If you want to remove that adult from a situation you have to go to court."

### **Exploitation tops abuse list**

Financial exploitation is the fastest-growing form of elder abuse, said Wayne County Prosecutor Kym Worthy, who established an elder abuse unit in 2003. The unit is on track to prosecute 200 cases of abuse this year, up from 125 in 2004, with the majority being exploitation cases.

"It's overwhelmingly a trusted family friend or relative who does this," Worthy said.

In Warren, Frances Parker, 88, was lonely after her husband died about two years ago. But within a couple of months, she had met Pren Karaqi, 52, an illegal immigrant from Kosovo who lived near her house.

According to Macomb County prosecutors, Karaqi soon ingratiated himself in Parker's life. He told her he'd be her nurse, and would take care of her for the rest of her life.

He soon convinced Parker he planned to divorce his wife and marry her. He bought her an expensive wedding dress, had her dress up in it and took pictures, prosecutors said.

Parker had Karaqi's name on her bank accounts and changed her will, leaving everything to Karaqi.

She gave him \$84,000, which he used to buy land in Kosovo.

His game was up when Parker's daughter, Patricia Clark of Warren, called Adult Protective Services. A social worker quickly contacted police, who arrested Karaqi for embezzlement. He pleaded no contest, and was sentenced to seven months in the Macomb County Jail.

"Part of why seniors are targeted is because they were brought up in a different era, when you could trust someone's word," said Brainard, of the Oakland County prosecutor's office.

*You can reach Karen Bouffard at (734) 462-2206 or [kbouffard@detnews.com](mailto:kbouffard@detnews.com).*

### **What to watch for**

#### **Physical abuse**

- Obvious injuries like bruises, broken bones, punctures or sprains
- Broken eyeglasses
- Laboratory findings of medication overdose or under utilization of prescribed drugs
- Sudden change in behavior
- The caregiver's refusal to allow visitors to see the elderly person alone

#### **Emotional abuse**

- Easily upset or agitated
- Emotionally withdrawn
- Unusual behavior such as sucking, biting or rocking

#### **Financial exploitation**

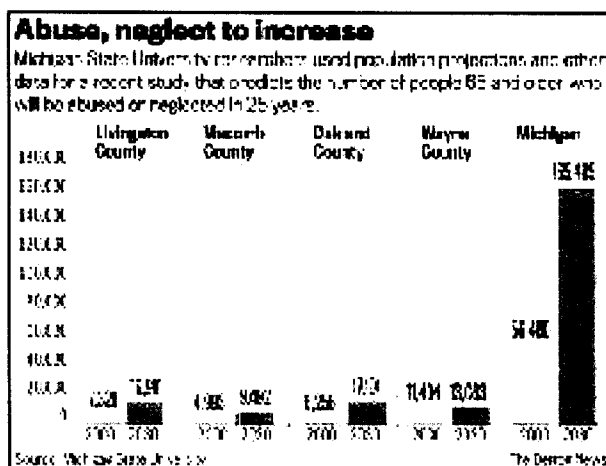
- Sudden changes in banking behavior
- A stranger accompanies the elder to the bank to withdraw money
- New names on an elder's bank account
- Sudden transfer of assets to a family member or stranger
- Abrupt change in a will

- The elder's report of financial exploitation.

#### How to help

- If you or someone you know is being abused, neglected or financially exploited call Adult Protective Services at (800) 996-6228.
- You do not need absolute proof to report suspected abuse.
- You do not have to give your name. All calls are handled confidentially.

Source: *The National Center on Elder Abuse; Michigan Department of Human Services*



► See full image

Elderly abuse

## State, U.S. efforts aim to reduce cases

Steps include creating database of crimes, better caregiver criminal checks, more training, penalties.

*Karen Bouffard / The Detroit News  
December 29, 2005*

Efforts are under way to combat the growing problem of abuse against the elderly in Michigan.

Gov. Jennifer Granholm's 17-member Michigan Elder Abuse Task Force is charged with identifying resources and changes in law. The task force is expected to make its report to the governor in March.

State officials, social workers, police and prosecutors have called on the task force to address key issues, including:

- The lack of a central database on incidents of elder abuse.
- Flaws in the system of criminal background checks for professional caregivers who provide services in long-term care facilities.
- A disconnect between law enforcement agencies, prosecutors, medical examiners and state agencies charged with identifying and punishing abusers.
- Lax sentencing guidelines for abusers.

An initiative is under way by Michigan State University and the state Department of Community Health to create a statewide system of data collection on elder abuse.

"We need to have data folks talking to each other; we can't get a handle on numbers," said Sharon Gire, director of Michigan Office of Services to the Aging.

"It's hard to quantify and do some of the more detailed analyses because we're at a point where we're just starting to talk to one another."

MSU and Community Health have also developed a system of criminal background checks for professional caregivers that could serve as a national model. The project is funded by a \$5 million grant from the federal Department of Health and Human Services.

Legislation mandating the system was recently approved by the state House. It was developed with input from MSU, the state departments of Community Health and Human Services and the Michigan State Police.

Similar legislation also was approved recently by the state Senate. The legislation, backed by Michigan Attorney General Mike Cox, would expand the list of workers who have to undergo criminal background checks. Failure to comply with the background check system would be a felony punishable by four years in prison and a \$50,000 fine.

Local efforts to prevent abuse also are under way. Wayne County Prosecutor Kym Worthy established an Elder Abuse Unit that is on track to prosecute 200 cases this year. A similar unit was established in Macomb County last January.

Worthy, a member of the governor's Elder Abuse Task Force, said the problem of elder abuse will require sweeping reforms at both the state and county levels.

"There's a huge increase (in elder abuse), but there's really no template," Worthy added. "More needs to be done to protect Michigan seniors."

Published December 29, 2005  
[ From the Lansing State Journal ]

## **Report shows risks remain for adult care**

By Amy F. Bailey  
Associated Press

Two years after state auditors told the agency charged with protecting vulnerable adults to beef up its investigations of abuse and neglect, a new report says some people with disabilities and people who are mentally ill still may be at risk.

The report released Wednesday by the Office of the Auditor General was a follow-up to find out whether Adult Protective Services took appropriate measures to enact three recommendations made in a 2003 audit.

In the new report, auditors sampled 60 referrals of suspected abuse, neglect or exploitation of vulnerable adults received by the agency. They said two of the 12 referrals that were denied should have been investigated.

Auditors, who reviewed 47 investigations, said agency workers did not always do a thorough review or failed to document a number of important factors, including the nature, extent and cause of the abuse, neglect or exploitation.

Karen Stock, spokeswoman for the state Department of Human Services, said agency workers need to better document their actions, but the department did not find any evidence that workers made a mistake in the cases reviewed by auditors.

## **AUDIT: VULNERABLE ADULTS STILL LEFT UNPROTECTED**

The Department of Human Services failed to meet the needs of vulnerable adults by neglecting to conduct effective investigations into abuse, offer helpful services or evaluate departmental services a follow-up audit conducted by Auditor General Thomas McTavish between May and August 2005 found.

The audit revisited adult abuse and neglect issues by conducting the follow-up audit to a 2003 report, an unusual step for the auditor general.

The follow-up investigation of the Department of Human Service's (formerly the Family Independence Agency) Adult Protective Services found, despite previous audit recommendations, at times APS left vulnerable adults largely unprotected. The audit reports there have been some policy changes within DHS to address the original criticisms, but goes on to say those measures have not been entirely effective.

The APS, in accordance with the 1939 Social Welfare Act, is responsible for responding to suspected adult abuse, neglect or exploitation within 24 hours and to ensure that adults in need of protection are provided with a safe living situation and legal services.

The 2003 report said DHS did not conduct effective investigations to determine the need for protection or into allegations of abuse or neglect. The department initially agreed to make necessary changes in order to conduct effective investigations, including the creation of new policies and work groups, but the auditor found in its follow-up that APS continued to conduct inadequate investigations and in at least one instance, prematurely closed a case.

When DHS receives a referral of suspected abuse, the office will screen the referral to determine whether it warrants an APS investigation. If there is reasonable evidence to suggest that an adult is vulnerable to exploitation or abuse, APS will investigate the situation to determine the need for protective services. But, the follow-up report found that in 12 of the 60 cases reviewed, APS workers denied the request for an investigation. The audit found two of the 12 refused referrals presented reasonable evidence of abuse or exploitation.

The report also cited workers for failing to investigate all the criteria set-forth to determine the need for protection and investigators did not always document their findings. For example, one referral suggested a customer had been living without a furnace. The investigation report did not indicate what became of the individual.

A second referral involved an immobile, mute client with an abnormal bleeding condition. After receiving the referral, APS workers unsuccessfully attempted to contact the client. After seven attempts to contact the individual, the caseworker closed the case.

The 2003 report also criticized the department's coordination to disseminate services. The auditor stated the DHS failed to coordinate APS workers or provide appropriate services to vulnerable adults. The agency agreed with the original recommendation and agreed to revise follow-up and service procedures.

However, the 2005 report suggested the revised policies failed to meet the objective and did not provide adequate and appropriated services. The audit cited an example of a case where the state was trying to remove an elderly adult from the individual's conservator through court proceedings, though because of poor documentation, the case was closed, leaving the individual vulnerable to homelessness.

In total, the follow-up audit found that 17 percent of the cases reviewed were not properly documented and that 18 percent of the cases did not have a goal or service plan.

Finally, the audit recommended that APS evaluate its own effectiveness. In 2003, the agency agreed to create an evaluation measure in order to assess services and compile pertinent data in order to track and improve those services.

The follow-up audit found that DHS has taken the initial steps to correct the evaluation process and determined means to store information for improvement purposes, but the department still has not complied with the 2003 recommendations, leaving DHS unable to assess the overall effectiveness of APS.

**AUDITOR RECOMMENDS MORE TRAINING FOR STAFF:** In another audit released this week, additional training for some DHS employees was recommended.

The Office of Quality Assurance, which is responsible for reviewing departmental procedures and cases for the Food Assistance Program and Medicaid, received recommendations to improve some training and tracking services from Auditor General Thomas McTavish.

The agency reviews FAP and Medicaid recipients to measure validity of cases, control information flow and identify program errors in accordance with federal Temporary Assistance for Needy Families guidelines. The audit, covering October 2001 through June 2004, found the agency was generally effective in doing this, but suggested some additional training for staff people. At the time of the audit, the agency received \$3.7 million a year and had 50 employees.

The audit recommended that OQA address the training needs of the staff reviewing cases for food assistance and Medicaid in order to decrease the workload of correcting errors by staff members. The agency agreed with the auditor's findings.

**MIRS**

**December 28, 2005**

## **Vulnerable Adults Still Vulnerable Audit Finds**

The Department of Human Services (DHS) has not complied with the Auditor General's April 2003 recommendations to improve the Adult Protective Services (APS) and Family Independence Program (FIP), leaving some vulnerable residents at risk of abuse, according to a report released Wednesday.

The original report recommended the APS, which provides services to vulnerable adults and follows up on cases of neglect or abuse, and the DHS conduct investigations to make sure the adults are not being abused.

The DHS agreed to come up with new policies to investigate alleged abuse and said it would have the new policies by October 2003. Though the DHS did come up with new policies, they were not effective, according to the report.

The Auditor General sampled 60 cases that were referred to the DHS for investigation of abuse or neglect. Twelve of the cases were denied, 47 were investigated and one was closed because the person couldn't be found.

Of the 12 denied cases, two or 17 percent, should have been investigated. The Auditor also found that even though 47 of the cases were investigated, they weren't investigated thoroughly.

More specifically, DHS was not effective at determining the nature of the abuse, reviewing the person's environment, or interviewing the person about the abuse.

# Grandmother says she might have done more to save baby

December 29, 2005

BY JACK KRESNAK  
FREE PRESS STAFF WRITER

The grandmother of a 9-month-old Detroit boy who police say was killed by his mother earlier this month said Wednesday that she might have witnessed an earlier attempt on the baby's life. Lillian Leak, 42, said she felt guilty for not doing more when she caught Jessica O'Neal mistreating her son, Malik.

O'Neal, 21, of Detroit is to appear in 36th District Court in Detroit today for a preliminary examination on a charge of premeditated murder.

Detroit police accuse O'Neal of suffocating Malik with a pillow Dec. 8 and then hiding his body in a cabinet in the basement of Leak's home on Hickory Avenue.

O'Neal faces up to life in prison if convicted.

Leak, Malik's paternal grandmother, said that shortly before O'Neal's birthday on Dec. 3 she caught a glimpse of her standing over the baby's crib.

"It looked like she had the pillow on top of his face, but when I came downstairs she jumped and moved it," Leak said.

"I asked what she was doing and she said, 'I'm trying to give him his pacifier,' " Leak said.

When Leak lifted the baby up, she said Malik was gasping for breath.

"He didn't look right to me," Leak said.

Since she didn't clearly see what O'Neal was doing, Leak said, she did not know whether she had the evidence to call police or Child Protective Services.

Leak had a business card for a state child abuse investigator who had seen Malik O'Neal twice before, but she said she did not report her suspicion.

"I wished I had," Leak said.

O'Neal, who is in jail without bond pending today's hearing, could not be reached for comment.

Her attorney, Jeffrey Edison, did not return a phone message left at his office.

Malik -- nicknamed Leak-Leak because of his father's name and because he drooled while sucking on two fingers -- was a happy child who could be cuddled and comforted by just about anybody.

"Such a joy he was," said Debra Pearson, a friend of Leak who helped care for the baby. "You could walk into the room and he'd smile instantly."

Of O'Neal, she said: "You know, she was his mommy but there was kind of like tension there. I told her when you get stressed the baby can feel it."

In 2000, state social services workers removed her from her mother's home in Grayling because she was not attending school and wasn't staying on a proper diet for her condition.

In 1999, O'Neal, then 14, learned she had Type 1 juvenile diabetes, a treatable condition that requires a closely monitored diet.

Her father died of complications of his diabetes later in 1999, said her mother, Sandra O'Neal.

Jessica O'Neal was a temporary ward of Wayne County Family Court from May 31, 2000, until Aug. 24, 2004, according to court records.

A Family Court referee apparently allowed her to stay in foster care beyond age 18. She lived for a time in a foster home licensed through Vista Maria, a Dearborn Heights residential program for girls..

In May 2004, she was diagnosed with an adjustment disorder characterized by "depressed mood, sad and flat affect, moody irritability, low energy, little eye contact, frequent verbalization of low self-esteem (and) unresolved grief issues," according to court records.

In August 2004, after an argument with the foster mother, she ran away to live with Milo Leak, an admitted marijuana dealer with rap star ambitions.

Leak, interviewed Wednesday by phone, has been in the Macomb County Jail since mid-November for failing to pay a fine for a misdemeanor assault and battery charge in Warren.

While in jail, he had a dream that Malik was being hurt by his mother, he said. "I knew she was kind of a little abusive to him, but I never thought she would kill him," Leak said of his son.

"I knew she couldn't handle it because she got too frustrated."

Leak said he had been wasting his life selling marijuana, rather than concentrating on being a father to his only child.

"It's time for me to make a change in my life," he said. "I'm not trying to go back to the streets. I'm not trying to sell no more drugs. I'm not trying to do none of those things I used to do."

Contact **JACK KRESNAK** at 313-223-4544 or [kresnak@freepress.com](mailto:kresnak@freepress.com).

December 28, 2005

# Driver's ed instructor faces prison for sex crime

By IAN C. STOREY

Record-Eagle staff writer

PETOSKEY - An Emmet County driver's education teacher convicted of sex crimes involving a female student could spend over a decade in prison.

Craig Griffith, 29, of Pellston, was convicted of one count of third-degree criminal sexual conduct and five counts of fourth-degree CSC on Dec. 8 after two hours of jury deliberation. Griffith, former owner and operator of Up North Driving School, was arrested in April on multiple sex felonies for having a sexual relationship with a 15-year-old female student of the driving program.

Emmet County Prosecutor James Linderman originally charged Griffith with counts as serious as first-degree CSC, punishable by life in prison.

But a district judge reduced the severity of the charges during a preliminary examination before ordering Griffith to trial in 57th Circuit Court.

Linderman said he was satisfied with the jury's decision on Griffith, who is scheduled for sentencing on Jan. 13.

Shortly after Griffith's arrest, his Up North Driving School's Web site posted a resignation letter he wrote to his wife and a statement that he would not seek re-employment as an instructor with the business because of the allegations.

Michigan Secretary of State officials said in May that Griffith and the Up North school were licensed for driver's education instruction for the first time in March 2004.

Griffith faces a maximum of 15 years in prison for the third-degree CSC conviction.

"It is a situation where you have a position of trust and an adult's responsibility to a child," said Linderman. "Parents were trusting their minor children to a person who is in a position of authority and that was violated."

# CSC suspect bonds out

By **BRANDON LACIC**  
*Sentinel-Standard editor*  
December 29, 2005

IONIA - The man accused of sexually assaulting his two adopted daughters and a foster daughter has bonded out of Ionia County Jail.

William Stoakes, 42, of Ionia, walked out of Ionia County Jail December 23 after posting three separate bonds of \$100,000, \$75,000 and \$50,000.

Jessica Wierckz, Ionia County chief assistant prosecutor, learned of Stoakes' release Wednesday morning. Wierckz is concerned Stoakes may have contact with his adopted and biological sons, who are not considered assault victims.

"There is indication he has tried to have contact with the boys," Wierckz said. She is worried Stoakes will attempt to influence them or have other "indirect" effects on their testimony.

An order from the Ionia County Probate Court prohibits Stoakes from having contact with any of his biological or adopted children, who were removed from the custody of Stoakes' wife while he was in Ionia County Jail.

All children have been placed with the same relative.

Wierckz said the state's Department of Human Resources is following up with Stoakes to ensure he has no contact with his children.

If he violates the court order Stoakes could be found in contempt of court and returned to jail, Wierckz said.

A trial date is scheduled for January in one of three criminal sexual conduct cases facing Stoakes. However, his defense attorney, Patrick Duff, is expected to ask for an adjournment to request additional preparation time.

Stoakes was arraigned in Ionia County 8th Circuit Court earlier this month for the alleged sexual abuse of an adopted daughter on the same day he was bound over to Circuit Court involving a third young female victim.

Stoakes faces multiple counts of criminal sexual conduct in the 1st and 2nd degrees.

Police and prosecutor's claim Stoakes may have had inappropriate relations with two adopted daughters and one foster daughter, all in their teens.

His arraignment on the third victim is expected to be held in two or three weeks by Judge Charles Miel.

Stoakes was arrested last October and had been lodged in jail until Dec. 23.

Wierckz said previously that there is no evidence Stoakes' wife knew of any alleged abuse.

Stoakes has been a foster parent for several years and has biological children of his own. In all there was reportedly a total of eight children in his care during the time of the alleged incidents, Wierckz said.

Stoakes was investigated for allegations of sexual abuse in 2003. Wierckz did not know if the Ionia County Prosecutor's Office reviewed a report of that investigation, but confirmed Stoakes was never charged.

# **Sex suspect arrested**

Thursday, December 29, 2005

The Grand Rapids Press

GRAND HAVEN -- A convicted sex offender who spent 23 years in prison for raping a girl was arrested after child pornography allegedly was found on his computer, police said. The 59-year-old man, who lives on 112th Avenue in Robinson Township, asked a friend to work on his computer. That person saw the pornography and called police, Grand Haven Det. Sgt. Gary Miles said. The suspect is expected to be arraigned in Grand Haven District Court. "We don't have any information that he has touched anyone," Miles said. The man served time for a sex assault on a child in the 1980s. After serving his sentence, the man found a job as a mechanic.

# **It Only takes a second for tragedy'**

Web-posted Dec 29, 2005

## **Charges might not follow after mother leaves tots unattended in Oakland Mall**

By STEPHEN FRYE  
Of The Oakland Press

TROY - A Troy woman allegedly left a nearly 2-year-old and 4-year-old alone in a play area at Oakland Mall for two hours, and then threatened someone who confronted her about it. Three different witnesses reported to police that the young boys were left unattended Tuesday evening. Police arrived just as the 24-year-old mother was threatening to "bitch slap" a Canadian man, one of three people who confronted her for leaving the children alone. The mother had just arrived after mall security and police were called.

She denied leaving them alone for two hours, saying she had left them to shop for only about 25 minutes.

Even that, though, is too long to leave a child alone, Troy police Lt. Gerry Scherlinck warned.

"It only takes a second for a tragedy to befall," he said. "Kids wander at that age."

The woman, the mother of the younger child and aunt of the 4-year-old, was arrested on an outstanding warrant for failing to appear at a court date. A short while later, she posted a bond for that case and was released with the children.

Police will forward the case to Child Protective Services within the state Department of Human Services and also to the prosecutor's office. Both police and prosecutors said a criminal charge might be difficult to obtain unless there is a direct danger to an unattended child, such as being in a car on a hot summer day. However, Protective Services and prosecutors could seek to review the parenting skills of the woman - often done through a neglect petition.

Oakland County Chief Deputy Prosecutor Deborah Carley said the state law makes it difficult to charge criminally when children are left alone if they are not hurt.

"We could not charge without an injury," she said. "It is something we would and will charge neglect on. In our mind, leaving children anywhere alone, especially at that age, is gross neglect and will be charged accordingly."

Scherlinck said too much could have happened, from the children becoming scared if they had wandered away and gotten lost to even being hurt if they fell down any stairs or went out into the parking lot or on an escalator.

In a worst-case scenario, Scherlinck said a predator could victimize an unattended child.

"Troy is a safe area," Scherlinck said. "Oakland Mall is a safe place, but this is a different world we live in. We just hope that parents are mindful of the potential dangers that could befall their children if they are not properly supervised."

The play area had been crowded during the evening. The Canadian man had been letting his child play with the younger boy, when that child wandered off. A woman brought him to the man, assuming he was the child's father. The boy could not say where his parents were.

That's when the witnesses tried finding an adult. Eventually, they called security, which, in turn, called police.

The witnesses reported to police that the children had to be brought out of nearby stores after wandering in alone several times.

Detroit News

December 29, 2005

Troy

## **Woman could face neglect charges**

A 24-year-old Troy woman could face child neglect charges after leaving two boys, ages 2 and 4, unsupervised in a play area at the Oakland Mall while she shopped, police said. Police were called to the mall about 8 p.m. Tuesday after witnesses, a mall security guard and the woman got into an argument about her leaving the boys wandering by themselves in the mall. When one witness confronted the woman, she told him to shut up and threatened to slap him if he didn't get away from her. She told police she left the boys for only 25 minutes because they didn't want to leave the play area. The matter has been referred to Children Protective Services for possible action.

December 28, 2005

## Adults may face charges in blaze

By CRAIG McCOOL

Record-Eagle staff writer

HARBOR SPRINGS - Three youngsters escaped injury in a blaze that destroyed their apartment, but the adults who left them home alone may be prosecuted.

The children, ages 4, 3 and eight months, were left unsupervised Monday afternoon in their apartment in central Emmet County, midway between Cross Village and Harbor Springs.

The oldest child accidentally started the blaze with a lighter, officials said. The case was submitted to the Emmet County prosecutor for review.

"They (adults) had gone to the store and said that somebody was supposed to have been watching them. We don't know for sure who that somebody was," said John Booth, fire chief for Cross Village and two adjacent townships.

Booth said the apartment, part of a duplex at 2864 S. State Road, was occupied by Jennifer Byrd, 24. She could not be reached for comment.

"The four-year-old told us they were in the house and it was dark. He couldn't reach the light switch" so he picked up a lighter, Booth said. "He dropped the lighter, it fell onto a bag. It caught. He retrieved his two sisters and left the house."

The children went to their grandparents' apartment, in an adjacent building. The 911 call came from that apartment shortly before 6 p.m. Booth said.

When firefighters arrived, the grandfather and another man were fighting the blaze with a garden hose. The adults drove up to the scene after firefighters arrived, Booth said.

Emmet County Sheriff Peter Wallin said the adults could face child neglect charges.

"It doesn't matter if it's a few minutes or a long time," he said. "If you're a parent, you don't leave kids unattended."

Published December 29, 2005

## **Family holding out hope that Williamston boy will be found**

### **Six months after disappearance, Ricky Holland's case remains open**

By Kevin Grasha  
Lansing State Journal

WILLIAMSTON - New Year's Day will mark six months since Ricky Holland's parents say they last saw him, and police haven't indicated if they are closer to solving the case.

Authorities have chased possible sightings in the disappearance that drew national attention and gripped a community.

They've searched a Jackson park, followed tips from a July airing of "America's Most Wanted" - even dug up the boy's parents' backyard - but turned up no sign of the Williamston boy who turned 8 in September.

Police continue to view the boy's parents, Tim and Lisa Holland, as "persons of interest" but have made no arrests.

Studies indicate that only a small percentage - a fraction of 1 percent - of missing children are never found.

"They come home, or they go to somebody else's house and call home," said Larry Upchurch, deputy director of the missing children's division of the National Center for Missing and Exploited Children.

But the outcomes are more grim if a child is abducted by a stranger, according to a 2002 U.S. Department of Justice study of missing children statistics.

In 40 percent of typical kidnappings, the child was killed, and in another 4 percent, the child was not recovered.

A 1997 study by the state of Washington's attorney general's office found that 74 percent of abducted children who are murdered are dead within three hours of being taken.

Still, Tim and Lisa Holland continue to hope for the return of the boy they adopted several years ago, said their attorney Neil Rockind. "The Hollands are extremely devastated that Ricky is not in their home, where he should be."

Like the case of Elizabeth Smart, the Utah girl who was missing for about nine months - and who many believed was dead but was later found alive - Rockind said: "We'd like to believe there's a miracle out there for this family."

Investigation continues

Since October, police have referred to the Hollands as "persons of interest" in a case they consider a criminal investigation.

With leads and tips continuing to come in, Ingham County sheriff's officials say they still are viewing the case that way.

"The focus of the investigation has not shifted," said Detective Sgt. Roy Holliday.

He added that no tip or suspicion goes uninvestigated.

Police conducted a lie detector test in early December on Ricky's biological mother and her husband, but they are not considered suspects, he said.

At least four search warrants have been executed at the Hollands' Williamston home.

Authorities have taken hair samples and fingerprints from Tim and Lisa Holland, seized the Hollands' cars, home computer, a bed comforter and searched their house.

In August, police even dug up a dog's remains in the Hollands' backyard after learning the Hollands had buried their dog.

Police said they wanted to make sure it was a dog and not Ricky.

Rockind said the Hollands are disappointed that police have not publicly apologized for focusing attention on them.

The couple passed polygraph tests, he has said.

Rockind added: "They'd like people to continue to be vigilant and be on the lookout for Ricky."

Several of Tim Holland's family members continue to believe Ricky is still alive and that somebody took him.

They said they will continue to search for him.

Neighbor Joanne Putman said a sign in the Hollands' yard, among Christmas lights and an inflated Santa Claus, reads something like: "Come back home Ricky. Christmas isn't the same without you."

## The numbers

Reported sightings in Michigan and elsewhere - even some as recently as this month - have come to the National Center for Missing and Exploited Children, but none so far have turned out to be fruitful, Upchurch said.

"But that's not unusual," he added

He said publicizing missing children throughout the U.S. is the organization's most effective tool in returning missing children to their families.

He said it wouldn't be proper to speculate on whether Ricky is alive or dead.

He noted statistics that showed of the nearly 800,000 children reported missing in 1999, 115 children were abducted by a stranger and either held for ransom, kept permanently or killed.

Nearly all of children reported missing return home alive. Only a fraction of a percent do not return home or are not located - and the vast majority of those were runaways from institutions, according to the study.

Contact Kevin Grasha at 267-1347 or [kgrasha@lsj.com](mailto:kgrasha@lsj.com).

## Timeline

- July 1-2: Lisa and Tim Holland put Ricky to bed at about 9:30p.m. In the morning, Ricky is gone and his bed is pushed toward an open window. Authorities do not immediately issue an Amber Alert because his parents say he has left home in the past.
- July 3-4: An Amber Alert is issued at 2 a.m. More than 600 volunteers and 30 law enforcement officers search for Ricky. His parents plead for his return.
- July 5-6: Two experts from the National Center for Missing and Exploited Children arrive to assist in the search. Volunteers and officers fan out in ground teams, four-wheelers, ultralight aircraft, dive teams, Civil Air Patrol planes and K-9 units. Police investigate two possible sightings, a partial footprint and a wrapper from a fruit snack Ricky used to eat — but nothing came from them.
- August: On Aug. 12, officials dig up a dog's remains in the Hollands' backyard. On Aug. 15, the sheriff's office sends a letter to schools asking officials to be on the lookout for anyone trying to enroll Ricky.
- September - October: Police execute search warrants at the Hollands' home and say their investigation is now criminal in nature. The family's attorney says they have nothing to hide.

- November: A five-hour search of Ella Sharp Park in Jackson on Nov. 8 by 40 law enforcement officers fails to turn up any clues in Ricky's disappearance. A helicopter and several tracking dogs were used to search the roughly 550-acre park, which included large open sections and dense wooded areas.

#### Missing kids

- 797,500 children were reported missing to police or children's agencies in 1999
- 1 percent of those missing children were never found

Source: U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention

#### To help

- Anyone with information about Ricky Holland's disappearance is urged to call Ingham County sheriff's officials at (517) 676-8211.

## **Strengthening families aim of local program**

By KURT HAUGLIE, Gazette Writer

HOUGHTON - Occasionally, even the most stable of families may need a little help coping with problems associated with raising children.

Providing that help is the goal of the Strengthening Families Program sponsored by the Copper Country Mental Health Services Institute in Houghton.

Regan Antila, training and prevention specialist with The Institute, said Iowa State University developed the program in 1993. The Institute has been involved with it since 2003.

"It's really an opportunity for families with middle school-aged children to get to know each other," Antila said. "The goal is to increase communication and interaction."

The program is free to participants and takes place from 5:30 to 8 p.m. Thursdays, from Jan. 12 to Feb. 23 at The Institute at 900 West Sharon Ave.

Those wishing to attend must first register by calling 482-4880 or going online at [www.ccyouth.net](http://www.ccyouth.net).

During the program, Antila said, parents and children attend separate sessions at first. Parents are shown a video about how to best cope with issues requiring action by them and the best disciplining methods for particular situations.

Children learn about the things they may do which may put pressure on their parents.

"Over the course of seven weeks, they should learn something," she said.

Antila said that during the last hour of each session the parents and children get together to go over what was discussed in their respective sessions and to play "games" and create projects related to those issues.

Antila said when participants begin the program, they're a bit hesitant, but soon many enjoy coming.

**FOR IMMEDIATE RELEASE**

**December 28, 2005**

## Governor Granholm Signs Legislation to Protect Parental Rights for Military Personnel

LANSING - Governor Jennifer M. Granholm today signed legislation that will protect the parental rights of military personnel serving in the Michigan National Guard while they are on active duty.

"The men and women serving in the military and the reserves sacrifice on our behalf every day," Granholm said. "I am proud to sign legislation that will protect them from having to sacrifice even more for their service."

The issue of parental rights of military personnel serving overseas gained prominence earlier this year after the story of one mid-Michigan soldier received media attention. The soldier, a member of the Michigan National Guard, lost shared custody of his child while serving in Iraq. Friend of the Court papers cited the man's "abandonment" of the child as a reason for the custody change. Media reports at the time indicated the case was not an isolated problem.

The two bills signed today by Granholm prohibit Michigan courts from changing custody orders or a child's placement while a parent is on active military duty unless there is convincing evidence that such a change is in the best interests of the child. The bills were given immediate effect.

"Ensuring that children are protected while their parents serve our country is critically important," Granholm said. "This legislation balances the needs of the child and the rights of the parents in challenging circumstances."

House Bill 5100 (Public Act 328) was sponsored by Representative Rick Jones (R-Grand Ledge) and Senate Bill 714 (Public Act 327) was sponsored by Senator Patty Birkholz (R-Saugatuck).

# # #

# Granholm signs bills to protect custody for deployed parents

12/28/2005, 5:02 p.m. ET

The Associated Press/MLIVE

LANSING, Mich. (AP) — Military moms and dads serving overseas will be protected from losing custody of their children because of their deployment under two laws signed Wednesday by Gov. Jennifer Granholm.

The new laws prevent a court from changing a child's custody orders or placement while a parent is on active duty unless there is convincing evidence that such a change is in the best interest of the child.

The legislation was developed when Army National Guard Spc. Joe McNeilly of Grand Ledge reported that he lost custody of his son after spending more than a year in Iraq.

McNeilly had shared custody of Joey, his only child, before being deployed in 2004. But his ex-girlfriend, Holly Erb of Mason, had petitioned the court for full custody seven months after McNeilly joined the National Guard in 2003.

He agreed to give Erb temporary full custody until he returned from duty, but a court referee later recommended against restoring custody.

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The military child custody bills are House Bill 5100 and Senate Bill 714.

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On the Net:

Michigan Legislature: <http://www.legislature.mi.gov>

***Published December 29, 2005***  
***[ From the Lansing State Journal ]***

## **Local news briefs**

Michigan courts no longer can consider a parent's absence for service in the National Guard or Reserve in determining custody cases under legislation signed Wednesday by Gov. Jennifer Granholm.

House Bill 5100 and Senate Bill 714 were prompted by the case of Army National Guard Spc. Joe McNeilly of Grand Ledge, who says he lost joint custody of his son because of his 15-month tour in Iraq.

"The men and women serving in the military and the reserves sacrifice on our behalf every day," Granholm said. "I am proud to sign legislation that will protect them from having to sacrifice even more for their service."

McNeilly, 33, has been fighting the Ingham County Friend of the Court since he returned in March to regain 50 percent custody of his 10-year-old son, Joey. The court has refused to reverse an order McNeilly signed giving Joey's mother full custody while he was gone. The court says the mother established a custodial environment for the boy while McNeilly was away.

The boy's mother says the case is about McNeilly's parenting skills, not his service.

The two bills, sponsored by state Rep. Rick Jones, R-Grand Ledge, and Sen. Patty Birkholz, R-Saugatuck, prohibit Michigan courts from changing custody orders or a child's placement while a parent is on active military duty unless there is convincing evidence that such a change is in the best interests of the child. The bills were given immediate effect.

**MIRS**

**December 28, 2005**

## **Gov. Signs Military Custody Bill**

Gov. Jennifer **GRANHOLM** signed legislation that will protect a military parent's custody rights while he or she is serving in the Michigan National Guard and while they are on active duty.

The bills prohibit state courts from changing custody orders or a child's placement while the military parent is on active duty unless there is convincing evidence that the change is in the best interest of the child.

"The men and women serving in the military and the reserves sacrifice on our behalf every day," Granholm said. "I am proud to sign legislation that will protect them from having to sacrifice even more for their service."

The issue surfaced after a mid-Michigan National Guard soldier lost shared custody of his child while he was serving in Iraq. Friend of the Court papers said the man lost custody because he abandoned the child. Other military parents testified during committee meetings that this problem was not uncommon.

"Ensuring that children are protected while their parents serve our country is critically important," Granholm said. "This legislation balances the needs of the child and the rights of the parents in challenging circumstances."

Granholm signed HB 5100, sponsored by Rep. Rick **JONES** (R-Grand Ledge) and SB 0714, sponsored by Sen. Patty **BIRKHOLZ** (R-Saugatuck). The bills were given immediate effect.

## **B.C. SAFE Place volunteer draws on her own experience to help other women**

Yolanda Hudson, 35, is a single mother, student and a volunteer at SAFE Place. She knows from personal experience what the women she works with at the domestic violence shelter are going through.

"It touches close to home because I have dealt with some of the issues and I am able to see what the ladies are going through, and I kind of know first-hand what they can do to turn their lives around," she said.

Originally from Detroit, she moved with her family to Battle Creek 13 years ago. Her two children, Talonda Hudson, 13, and Makayia Hargrove, 10, are students at W.K. Kellogg Middle School.

Hudson is a full-time student completing a pre-law degree at Davenport University. She plans to practice corporate law after attending the University of Michigan or Thomas M. Cooley Law School.

She feels especially well suited to be working at SAFE Place, where women have left their homes, belongings, jobs and mates and are dealing with property, divorce and child custody issues.

Holidays can make life more difficult.

"The emotional aspect of Christmas and holidays is extremely taxing, and a little dismal, bringing you back to thoughts of family and good times," she said.

She relates the tales of two women, each with a different ending.

In one, a mother of three came from another city, wanting to relocate. A landlord took advantage of her situation, taking her down payment for an apartment but giving the apartment to another family and not returning her money.

Counselors and advocates were working with her to resolve the situation when she left SAFE Place in the middle of the night and returned to her assailant.

"It just breaks your heart because not only did that person (the landlord) take her money, but he took her spirit and will. Now she is broken, not feeling good about herself, and she gave up."

Another woman, with four children, came to Battle Creek from another state. She was determined to make a break from her past. Despite serious health issues, including cancer, she shook off her addictions, found a place to live, got her children in school and found a job at K-Mart.

"I'm doing good," the woman told her, and that's all Yolanda Hudson needed to know.

*John Grap is photo editor for the Battle Creek. He can be reached at 966-0598 or [jgrap@battlecr.gannett.com](mailto:jgrap@battlecr.gannett.com).*

*Originally published December 29, 2005*

# **Program offers health care services for uninsured**

## **Low-income residents in Livingston can get many costs covered**

Thursday, December 29, 2005

BY STEPHENIE KOEHN

Ann Arbor News Staff Reporter

This Livingston County resident and her family had been depleting their life savings on prescription drug costs, but since she enrolled in Plan B, the county's new health plan, she will spend no more than \$45 a month for her prescriptions, say county officials.

It's not an uncommon story, says Carol Murray, enrollment specialist with the Livingston County Department of Public Health, which sponsors the program. Murray handles intake for the recently unveiled program, part of the county-sponsored Livingston Health Plan.

"Eight percent of the county's population is not covered by any health care program," she said. Murray says as many as 2,000 low-income Livingston County residents who cannot get Medicare or other health insurance programs could qualify for the plan, which offers basic medical benefits for free or for a small copayment. There is no monthly fee or other charge for enrolling in the plan.

So far 10 area physicians are participating in the plan, said Bonnie Detweiler, the Health Department's Plan B coordinator. "We are looking for more doctors to participate in the program," she said.

Operated by the Ingham Health Plan - which also administers its own and several other county plans in addition to Livingston County's - Plan B is funded by a federal matching grant that returns every local dollar with an additional \$1.31 of federal funds. The original local dollar is used to support Health Department programs. The federal funds pay for the plan's services, Detweiler said.

"It was decided last year by the county commissioners to provide basic health coverage for low-income residents who were otherwise ineligible for insurance," said Ted Westmeier, Health Department director.

Although the plan resembles traditional health insurance, officials are quick to point out that it is not actually insurance. "It differs from insurance because it is not backed by an insurer," Murray said. People get insurance-like benefits. But the pool of grant funds available for the program dictates the level of enrollment. "We'll see how many sign up at 150 percent of capacity," Westmeier said. "If we have enough capacity, we'll bump the percentage up."

To qualify for Plan B, participants must be Livingston County residents, aged 19-64, with an income no more than 150 percent of the federal poverty level, Westmeier said. For a single person, income can't exceed \$14,355. For a family of four, it can't go above \$29,025.

Although the county has the capacity to enroll 600 residents in the plan, only 62 have enrolled to date, Westmeier said. "We've left information at human services agencies and in participating doctors' offices and we're getting media coverage, as well," he said. "We anticipate more enrollments as more people learn about it."

Many of the plan's participants are people in their mid-20s, Detweiler said. One story is typical: A twenty-something man who works part-time for a fast-food concern and does not, therefore, qualify for company-paid health insurance. "He works regularly, but he can't get insurance," she said. He does, however, qualify for Plan B.

Others who may qualify are young people whose age has precluded them from their parents' insurance policies and senior citizens who are too young for Medicare and Medicaid, she said. Plan B members must get all medical care from the participating local doctor to whom they've been assigned, Detweiler said. Doctors are reimbursed for their services through the plan. Care from non-participating doctors will be the complete responsibility of the member, unless that care was ordered by the LHP doctor. Prescriptions must be written for medications on the approved list as well, she said.

An array of ambulatory coverage includes doctors' office visits, specialist services, generic prescription medications and walk-in or urgent care, all for a \$5 copayment. Brand-name prescriptions cost \$10 each. Outpatient lab tests and X-rays cost members nothing.

Coverage does not include inpatient hospitalization, organ transplants, transfusions, chiropractic care, experimental treatment, speech, physical or occupational therapy, hearing aids and related services, medications not on the approved list, and a variety of other services.

For more information on the plan, call the Health Department at (517) 546-9850.

## County-administered drug plan changes: Benefits, fees increase

By JANE NORDBERG, Gazette Writer

HOUGHTON - Area residents participating in the National Prescription Health Plan are being offered an upgrade, according to Mike Lahti, chairman of the Houghton County Board of Commissioners.

Houghton County is in its third year of participation with NPHP, offered in conjunction with the Michigan Association of Counties.

"It's been a good plan for us," said Lahti at the board's Dec. 13 meeting. "People can get a deal on their prescription costs and help the county at the same time."

Anyone over 18 years of age without prescription drug coverage is eligible to apply for the plan through the Houghton County controller's office. Successful applicants are then mailed a prescription drug card accepted by all local pharmacies, which allows the dispensing of prescriptions at a discount.

Previous participants in the drug card plan were charged \$15 per person annually, with \$3 of that going into the county's coffers. Beginning Jan. 1, that rate will increase to \$23 annually, said Lahti, with the county continuing to keep \$3.

While the cost has increased, so have the benefits, Lahti said.

The program will continue to offer its prescription drug benefits, but will now include discount vision, hearing and mail-order diabetic supply programs.

Houghton County began participating in the plan in 2002.

Commissioner Paul Luoma, at a board meeting in April, said the average person saved \$200 in 2003 by using the plan

Detroit Free Press

Letters to the editor

### **Legislator seeks to end arcane laws**

December 29, 2005

I am writing to add to your Dec. 22 article "Dad asks court to let girlfriend sleep over." In 2003, I introduced House Bill 4616 to repeal the law banning cohabitation, as well as a number of other arcane laws in Michigan. Currently, I am redrafting this bill to include such obscure laws as those prohibiting the playing of our national anthem at dance halls.

What is important, however, is that Michigan's ban on cohabitation currently criminalizes one's free choice regarding living arrangements and consensual sexual relations between unmarried persons. There are legitimate issues for divorced couples and the divorce courts to consider on a case-by-case and personal basis about the impacts of allowing parents' sexual partners to visit when minor children are present and at what stage after the divorce new partners should be introduced.

These issues should be worked out between divorced couples and the courts. The criminal law has absolutely no place in the decisions of unmarried persons as to who they want to engage in consensual sexual relations and living arrangements.

I plan on reintroducing my legislation to repeal this antiquated law that criminalizes the legitimate living arrangements of hundreds of thousands of Michigan residents. Thank you for highlighting the issue and its real impact on at least one couple.

**Steve Tobocman**

*State Representative*

*12th District*

*Detroit*

Detroit Free Press

December 29, 2005

Letters to the editor

## **Parent needs to grow up**

One doesn't need to go any further than to read "Dad asks court to let girlfriend sleep over" in order to understand that self-centered "I can do whatever I want" attitudes are the real family values issue of our society. I am a professional marriage and family therapist who maintains that being nonjudgmental is not the equivalent of moral neutrality. Moral issues pervade family life, and we ignore them at our peril. A family stands for placing the interest and guidance of children above the desires of the parents, even if the parents divorce. Someone needs to tell Christian Muller to grow up and become a parent.

**Robert M. Wills**

*Birmingham*

## **Don't teach bad lessons**

You are missing the point of the 167-year-old statute on shacking up. Yes, our community seems to think that this is OK, but children should not be in a home where parents are co-habiting without marriage. Duh! Just because adults don't act properly, why teach children that it is the right way to live? If you want to repeal that statute why not abolish the marriage laws altogether? No divorce, no splitting of inheritance. Let's all just do as we want. Sounds like a perfect world; at least that's how you see it.

**Janet Schaaf**

*Sterling Heights*

# Charities pitch to gain '05 donations

## Goals still not met in a down year

December 29, 2005

BY SHABINA S. KHATRI  
FREE PRESS STAFF WRITER

When Michigan's homeless, hungry and poor residents have nowhere else to turn, they usually can look to charitable organizations for help. But what happens to the needy when charities themselves are in need?

It's a question local groups don't want to consider, as they make their final push for contributions amid a disappointing donation season. For the charities that have been struggling with funding problems for months, donations at the year's end could make all the difference for people who need help in 2006.

"What we raise now impacts us for the future," said Capt. K. Kendall Mathews, Detroit commander of the Salvation Army. "So if we don't raise the dollars, we can't provide the services."

Mathews added that the organization, which is experiencing a several-thousand dollar shortfall, would meet next month to evaluate year-end numbers and decide whether certain services will go.

The state's largest charitable group isn't the only one holding out its hand. Organizations from a number of counties that provide a range of services for needy people, from soup kitchens to warming shelters to youth counseling, are feeling the pinch.

Covenant House Michigan is one of the few places for homeless youths to seek help. For the past six months, its Detroit location has been faring among the worst, funding-wise, of Covenant House's 14 U.S. chapters, said Sam Joseph, the state's executive director.

"This particular year, with the economy and all the calamities all over the world, our donations are down 10%," Joseph said. If that trend continues, the privately funded child-care agency may be short almost a half-million dollars by the end of its fiscal year in July 2006, he added.

That would make it difficult for the group to continue housing the 75 young adults who currently reside on CHM's Detroit campus. It also would hurt operations of CHM's Crisis Center, which has served almost 1,300 youths since opening in 1997.

The situation is no better for the Gleaners Community Food Bank of southeastern Michigan, which is experiencing a 20% income shortfall of \$270,000 for the month of December. Gleaners is a food bank network that partners with about 400 agencies to serve more than 66,000 metro Detroiters each week.

"This is a make-and-break month," said Gleaners President Augie Fernandes. "We just really need to see that income."

Fernandes added that though the organization is trying to resist dipping into its reserves, it has recently earmarked \$150,000 of its emergency money in case the group needs to buy extra food. One of those emergencies occurred earlier this week, when Detroit-based All Saints Catholic Church soup kitchen, which feeds 500 people a week, burned to the ground.

Gleaners and the Salvation Army will help the church restart its services next week, said the Rev. Ed Zaorski. But charities can do only so much, he added, saying that it's time for government officials to get more involved in helping the state's needy people.

"It's great to have a beautiful downtown with beautiful buildings, but we have to have a concern for our human element as well," he said.

Contact **SHABINA S. KHATRI** at 586-469-8087 or [skhatri@freepress.com](mailto:skhatri@freepress.com).

#### How to help

- Here's how to contact some local charities and shelters:  
**Covenant House, Detroit:** 313-463-2000, [www.covenanthousemi.org](http://www.covenanthousemi.org)  
**South Oakland Shelter, Royal Oak:** 248-546-6566, [www.sos1985.org](http://www.sos1985.org)  
**Macomb County Rotating Emergency Shelter Team, Roseville:** 586-415-5101  
**Salvation Army of eastern Michigan:** 877-725-6424  
**Gleaners Community Food Bank of southeastern Michigan:** 313-923-3535,  
[www.gcfb.orgcom](http://www.gcfb.orgcom)

# Salvation Army inches toward Red Kettle goal Donations down \$30,000, but charity officials still optimistic

By MOLLY MONTAG  
Times Herald

Eileen Reeves assessed a pile of folded and crumpled one- and five-dollar bills. "It's not coming in as good this year as other years," she said.

She and two other volunteers spent Tuesday sorting and counting more than \$14,000 in Red Kettle donations for the Salvation Army Port Huron Citadel Corps. Officials extended the annual campaign by three days, hoping to make the \$280,000 goal.

As of Wednesday, \$244,484 had been collected and counted. Mail-in donations will continue to be counted as they arrive. Last year, the drive raised about \$276,651.

Capt. Tim Meyer, commander of the local citadel, said the extra days' cash helped him remain optimistic. "That's probably put us in pretty good shape," Meyer said.

The \$14,200 raised Friday, Saturday and Monday helped close the gap with last year's campaign. It's still more than \$30,000 shy of the group's goal, but many mail-in contributions have not been counted.

About \$24,000 in mail-in donations from last year's campaign arrived in January. Meyer is hoping for the same this time.

Volunteer Laura Louks, a bell-ringer in years past, was impressed by how much fit into the small kettles. "When it's in the kettle, you don't realize how much is put in there," said Louks, 25.

The volunteers were in an undisclosed location, neatly sorting change and paper money. It was a far cry from how they used to count donations, said Reeves, 86. Her husband worked for the group, and officials would count it in the couple's home. "They'd come to my house, dump it on the floor in my living room and count it that way," she said.

Donations fund the group's operations throughout the year.

This holiday season, Meyer said the group assisted 1,124 households from Dec. 19 to 26, including providing meals for more than 3,561 people and gifts for 1,822 children.

Proceeds from countertop kettles will be counted as local businesses bring them in. Mail-in donations will be accepted through January.

*Contact Molly Montag at (810) 989-6275 or [mmontag@gannett.com](mailto:mmontag@gannett.com).*

Originally published December 29, 2005

# **Nonprofits hope Santas still out there**

## **Organizations say they continue to lack materials on wish lists**

Thursday, December 29, 2005

BY LIZ COBBS

Ann Arbor News Staff Reporter

The Michigan Visiting Nurses still needs a power lift chair, new or used but in good condition, and dietary supplements for indigent patients.

The Shelter Association of Washtenaw County needs more hats, gloves and scarves for the homeless and others in need this winter.

HelpSource, the largest social service agency in Washtenaw County, would like office supplies. Some directors of local nonprofit organization say the community has responded to many needs this holiday season, but they haven't crossed off all the items on their wish lists.

Jared Collins, development director at the Shelter Association of Washtenaw County, said the community has responded "pretty well," particularly in donations of personal hygiene items. Now, what's needed he said are the "warmth" items.

The Washtenaw United Way annually publishes a Holiday Wishbook listing the needs of local nonprofit services agencies in time for Christmas, Hanukkah and Kwanzaa.

The Michigan Visiting Nurses is listed, but there hasn't been any response, said Sandy Jelsomeno, an executive secretary with the organization that serves 2,800 patients a year. Michigan Visiting Nurses is affiliated with the University of Michigan Health System and provides comprehensive adult and pediatric nursing services.

The association's wish list includes a bench to transfer a patient with limited mobility to the shower or tub, medium-size disposable briefs and blue pads for a patient with incontinence, and size 11 and a half EE, black men's walking shoes.

HelpSource Director Susan Crabb said there hasn't been a response so far to the agency's wish list in the local United Way's book, but there has been a tremendous community response in helping the 365 individuals the agency "adopted" during the holidays.

"We were very fortunate with that," Crabb said.

As for the agency's wish list, it includes such office supplies as colored paper (8.5 x 11), letter-size file folders, pens and pencils, paper plates, napkins and heavy-duty plastic utensils.

The wish list items are usually things that the agency doesn't buy for itself, Crabb said.

"But it's nice to have them, it helps things run smoother," she said.

Liz Cobbs can be reached at [lcobbs@annarbornews.com](mailto:lcobbs@annarbornews.com) or (734) 994-6810.

# Not using your old cell phone? You can donate it

Thursday, December 29, 2005

BY JERRY NUNN  
BAY CITY TIMES WRITER

So Santa brought you the new cellular phone you were wishing for. Don't throw your old one away; it'll pose a pollution hazard. And don't leave it in a drawer, gathering dust.

Make a gift of your old or unused cell phone by donating it to someone who needs it.

The Bay Area Woman's Center gives used cell phones to victims of domestic violence and sexual abuse. And Farm Bureau Membership Bay County gives them to the physically disabled or people over 60 years old.

"They feel the safety, just in having it," said Lisa Zielinski, administrative assistant at Farm Bureau. "They can use it to call 911. We've given out about 150 since we joined the program in 2003."

Farm Bureau's program includes training in cell phone use as well as tip sheets and other handouts. The program is operated in conjunction with the Bay County Sheriff Department and the Retired and Senior Volunteer Program.

The phones go to people who otherwise would not have a cell phone, Zielinski said, noting most who receive them need the added security a cell phone can provide in an emergency.

The holiday season is the perfect time to donate old cell phones and electronics, according to Dwight Zahringer, president of Recycling for Charity, an online electronics recycling program. And donating used electronic gadgets saves more than space in landfills. Zahringer said discarded electronics devices are becoming a major cause of pollution.

"Cell phones and other small electronic devices contain toxins and heavy metals that can leak from landfills and contaminate groundwater," he said.

Recycling For Charity accepts all makes and models of cell phones, as well as other electronic devices, and money collected from the sale of each unit is donated to the person's charity of choice. Non-profit organizations can sign up to be included on the list of charities by enrolling on the Recycling For Charity Web site at [www.recyclingforcharities.com](http://www.recyclingforcharities.com).

"It can be a great fund-raiser," said Zahringer, noting scout groups, schools and civic organizations have earned money through the program.

Zahringer said people sometimes are reluctant to donate their old cell phone, but there's no value in keeping it if you're not using it.

"People say, 'Well, I paid \$200 for this last year; I'm not getting rid of it,'" he said. "But they don't have anything to do with it. It gets thrown in a drawer and forgotten."

He said the charity has been able to resell old cell phones for as much as \$50, though most garner between \$1 to \$7 on the used market.

Those unable to be refurbished are smelted down and recycled, Zahringer said.

The program is similar to one run by the Bay Area Woman's Center.

Since 2002, recycled phones have earned the organization nearly \$3,500 through Shelter Alliance, a program that targets domestic violence and is supported by Verizon.

"If they work, if they hold a charge, I give them to clients. They can use them to call 911 or they can get them activated," said Debbie Keim, a victim advocate in charge of the emergency cell phone program.

If they don't work, the center sells them to Verizon Wireless, which refurbishes the phones or recycles the components.

In addition to the 35 to 40 phones given away each year to victims of domestic violence and assault, the Center sells more than 500 phones yearly to be recycled. Cell phones can be dropped off at the Bay Area Woman's Center or in care of the Center at the Verizon Store, 5054 Bay Road, Saginaw.

"Many of my clients use them," said Keim, noting money earned through the recycling program helps finance the center's legal aid fund.

And while Alltel Wireless and Verizon have supplied Keim's clients with free cellular phones, along with free cellular service, she said the emergency cell phone program fills a dire need for her organization.

"The dispatchers at 911 know me by my voice because I call them to see if the phones work before I give them to my clients," she said.

- Jerry Nunn is a staff writer for The Times. He can be reached at 894-9647 or by e-mail at [jnunn@bc-times.com](mailto:jnunn@bc-times.com).

Detroit News

December 29, 2005

Howell

## **Agency to distribute free food**

Free USDA Commodity Food is available to eligible Livingston County residents. The next distributions will be Jan. 17 and Jan. 19. The food distributions will take place on both days from 10 a.m. to 3 p.m. at 912 North Street. For information, call the Oakland Livingston Human Service Agency at (517) 546-8500.



American Public Human Services Association

Updated: Wednesday, December 28, 2005

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For the week ending 12/23/2005, Vol. XXVI, No. 45

The American Public Human Services Association is a nonprofit, bipartisan organization of individuals and agencies concerned with human services.

Its members include all state and territorial human services agencies, more than 150 local agencies, and several thousand individuals who work in or otherwise have an interest in human service programs.

Its mission is to develop, promote and implement public human service policies and practices that improve the health and well-being of families, children and adults.

- [Senate Passes Budget Reconciliation Bill; House Must OK Final Version](#)
- [Congress Approves Labor-HHS Appropriations](#)
- [Defense Spending Bill Cuts Domestic Programs by 1 Percent, Drops Emergency LIHEAP Funds](#)

### Senate Passes Budget Reconciliation Bill; House Must OK Final Version

On December 21, the Senate passed the conference report for S. 1932, the Deficit Control Act of 2005, by a vote of 51-50, with Vice President Cheney casting the tie-breaking vote. The legislation makes major changes in a number of public human service programs, including Medicaid, Temporary Assistance for Needy Families (TANF), child support, and child welfare. It does not reduce funding for the Food Stamp Program. Before the final Senate vote, the Senate parliamentarian agreed with a point of order raised by Sen. Kent Conrad (D-N.D.) calling for removal of several reports in the bill. The approved bill therefore now differs slightly from the House version, passed December 19, and now must go back to the House for another vote. The timing of the House vote was uncertain at press time; the House was scheduled to reconvene in a pro-forma session late on December 22, but a roll-call vote on the budget bill was considered likely and therefore probably could not occur until the House's next session in late January.

The bill reauthorizes TANF and applies work participation rates and work requirements to recipients in separate state programs. It also maintains separate two-parent work rates; maintains the work rate at 50 percent but revises the caseload credit to look back to fiscal year 2005 rather than FY 1995; and adds a new state penalty if states do not establish and maintain work verification procedures. The bill also increases child care funding by \$1 billion and provides \$1 billion in new Low-Income Home Energy Assistance Program (LIHEAP) funding for FY 2007. In child support, the bill institutes a new \$25 user fee; eliminates the ability of states to use child support incentive grant funds to match federal dollars; and includes a series of child support changes from House and Senate TANF proposals.



Public Human Services Directory



Policy and Practice

The bill cuts Medicaid by about \$4.8 billion over five years. The cuts include options for states to impose cost-sharing and create flexible benefit packages, and includes restrictions on seniors who transfer their assets to qualify for Medicaid. There were no substantial changes to the language on Targeted Case Management (TCM) that concerned states, or to third-party liability; the TCM language would prohibit certain foster care services from being covered by Medicaid's TCM. The bill also includes provisions to modify the calculation of Federal Medical Assistance Percentage (FMAP) rates for states that were negatively affected. In child welfare, the conference report would eliminate Title IV-E administrative claims for most otherwise-federally eligible children in unlicensed foster homes. These claims are also eliminated for children in ineligible facilities such as detention centers, psychiatric and medical hospitals, and institutions with more than 25 beds, with certain exceptions. A new requirement is added to conduct foster care candidacy redeterminations every six months. The report also reverses the *Rosales v. Thompson* decision by limiting the determination of eligibility for IV-E foster care maintenance and adoption assistance. A link to the complete bill text is available on the House Rules Committee web site at <http://www.rules.house.gov/>.

Because of the uncertainty over the final House vote necessary to clear the bill, the Senate on December 21 passed a three-month TANF extension. The Senate accepted the House version of the extension, passed December 19 (the TANF and Child Care Continuation Act of 2005, H.R. 4635), by unanimous consent and without amendment. In addition to the TANF program, the legislation extends supplemental grants to states, the Child Care and Development Block Grant, and child welfare waiver authority through March 31, 2006.

### **Congress Approves Labor-HHS Appropriations**

On December 21, the Senate moved the conference report for the FY 2006 Labor-HHS-Education appropriations bill, H.R. 3010, by attaching it to the Defense appropriations bill, H.R. 2863. The Senate approved the combined package after late-evening negotiations finally produced an agreement. Several senators, including Sen. Arlen Specter (R-Pa.) and Tom Harkin (D-Iowa), objected to the Labor-HHS bill, but acknowledged that there were not enough votes to pass the modified version they wanted. Their only other alternative was to let the present continuing resolution (CR) now funding Labor-HHS programs to remain in place; Harkin and others rejected this as well, since funding under the CR is even lower than H.R. 3010. On December 22, the House also approved the conference report. The bill provides \$142.5 billion in discretionary funding. In the area of health, it increases rural health spending by \$90 million; provides \$9 million for a research and policy program; and provides \$39 million for a grant outreach program. Overall, the bill would provide \$105 billion more than in FY 2005, a 21 percent increase mostly stemming from additional funding for mandatory Medicaid and Medicare programs. H.R. 3010 also provides \$2.2 billion for LIHEAP.

### **Defense Spending Bill Cuts Domestic Programs by 1 Percent, Drops Emergency LIHEAP Funds**

As part of the negotiations leading to congressional approval of the Defense appropriations bill, the Arctic National Wildlife Refuge (ANWR) oil drilling provision was removed. The provision was scored as a revenue item, and some funds from it had been earmarked to cover \$2 billion in additional LIHEAP emergency funding along with Gulf Coast recovery funds

and other programs. When the ANWR provision was dropped, these spending items were also deleted. The measure still contains a 1 percent across-the-board cut to all domestic spending programs (except veterans programs) to pay for Katrina and Rita relief funds.

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